

KPWSLF PROJECT NO.:

Date:

Subject: Bid Documents for Review and Approval POST EQUIVALENCY

From:

To: Public Water Supply Section, Bureau of Water, KDHE

The following documents are enclosed for review and approval prior to awarding of the contract(s):

- _____ Proof of advertising ¹
- _____ Tabulation of bids
- _____ Low bid and/or proposal recipient wishes to accept
- _____ Recipient recommendation of award
- _____ Any addenda not previously submitted and bidder acknowledgment of all addenda
- _____ Bid bond ¹
- _____ Minority and Women's Business Enterprise Utilization Worksheet(s), for bid(s) recipient wishes to accept ^{1,2}
- _____ Recipient's assurance that proposed contractor(s) positive efforts and/or MBE/WBE (DBE) utilization have been reviewed, are satisfactory and meet regulatory requirements
- _____ State of Kansas Act Against Discrimination Contract Provisions signature form
- _____ One set of as-bid plans and specifications, if not previously submitted
- _____ Site certification and description including the Applicant Assurance with respect to Acquisition, if not previously submitted ^{1,2}

The proposal(s) expire _____.
Date

For additional information contact:

Name:
Address:
Phone No.

Signature of Authorized Representative

¹ Not applicable for small purchases

² Not applicable for equipment purchases

APPLICANT ASSURANCE WITH RESPECT TO ACQUISITION
OF REAL PROPERTY INCLUDING EASEMENTS

FOR KANSAS PUBLIC WATER SUPPLY
LOAN FUND PROJECTS

Please check the appropriate spaces(s) and provide any appropriate explanation.

I hereby certify that with reference to Project No. _____:

- _____ All necessary real property has been acquired and Certificate as to
Title to Project Site is attached.
- _____ Bonafide options have been taken on all necessary real property.
- _____ Formal condemnation proceedings have been initiated for
necessary real property.

Authorized Representative of Applicant

Date

Legal Name of Applicant

KDHE
KPWSLF

CERTIFICATION AS TO TITLE TO PROJECT SITE

Project No.: _____

I _____, Attorney at Law representing _____, as title counsel, do hereby certify:

1. That I have investigated and ascertained the location of, and am familiar with the legal description of the site or sites being provided by the Applicant for all elements (including intakes, pumping facilities, distribution lines, storage facilities, treatment plants, and appurtenances) of the Public Water Supply Project No. _____, to be constructed and maintained in an upon such site or sites.

2. That, if not previously submitted, I am attaching a legal description of the site or sites on which the treatment facility is to be constructed. (Descriptions of rights of way and easements for water lines are not required, but such rights of way and easements are covered by this title opinion.)

3. That I have examined the deed records of the county or counties in which such project is to be located and, in my opinion, the applicant has a legal and valid fee simple title to the site of the project, including necessary easements and rights of way; or such other interest, less than fee simple and fully described below, including terms as to duration or termination, sufficient to assure undisturbed use and possession for the purpose of construction and operation of the project; and in the case of projects serving more than one municipality, that the participating communities have such interests or rights sufficient to assure their undisturbed utilization of the project.

4. That if initiation of negotiations for acquisition of site and/or easements occurred after April 1, 1989, said acquisition was conducted in compliance with 49 CFR Part 24 dated March 2, 1989; including that:

(Place a checkmark in the box beside as many of the following statements as are appropriate. At least one statement must be checked; it is possible that all three statements could be applicable. You must be able to certify to A. if the statements in B. and/or C. do not apply to all acquisitions for the project.)

- A. Property was appraised by a qualified appraiser in accordance with nationally recognized appraisal standards; review appraisal was conducted, also by a qualified individual; and both were performed prior to initiation of negotiations;

- B. Certain parcels and/or easements were donated; and the donor, after being fully informed of their rights under the Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970, waived their right to appraisal; and said waivers are on file with the municipality;

- C. Certain parcels and/or easements were, based on a review of available data, determined to have a fair market value of \$2,500 or less; and therefore no appraisals were conducted for those properties.

5. That any deeds or documents required to be recorded in order to protect the title of the owner and the interest of the applicant have been duly recorded wherever necessary.

6. Remarks:

Dated this _____ day of _____, _____.

Attorney at Law

Address

City and State

**APPLICANT ASSURANCE WITH RESPECT TO
AFFIRMATIVE STEPS FOR MBE/WBE (DBE) UTILIZATION**

I hereby certify that with reference to Public Water Supply Project No. _____, I have reviewed the affirmative steps made by _____ (consultant/contractor) in relation to MBE/WBE (DBE) utilization and find that the steps satisfy the requirements set out in KPWSLF Implementation Procedures. Attached is the appropriate documentation to support this assurance.

Authorized Representative of Applicant (Print / type)

Authorized Representative of Applicant (Signature)

Date

Legal Name of Applicant